

REMARKS

Claims 1, 7, 8, 18, 24, and 25 (2 independent and 6 total claims) remain pending in this application. Claims 2-6, 9-17, 19-23 and 26-48 have been withdrawn from further consideration, without prejudice, as being drawn to non-elected inventions or species. Applicant amends claims 1 and 18 in this application.

No new matter has been introduced. Reconsideration of this application is respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

Claims 1, 7, 18, and 24

Claims 1, 7, 18, and 24 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brandt (US 5,892,905) in view of Hafen (US Pub. No. 2003/0023453) and further in view of Weinstock (US Pub. No. 2005/0021378). Applicants respectfully traverse this rejection.

1. Hafen Reference: Inventors Submit Declaration of Prior Invention Under 37 C.F.R. 1.131

The attached Declaration of prior invention of inventors Bruce Royer, Renee Royer, and John Taylor along with the Exhibits A through F establishes invention of the subject matter of claims 1 and 18 prior to the effective date of the Hafen reference. See 37 C.F.R. 1.131.

The Hafen reference is effective as a reference under 35 U.S.C. 102(e) on July 30, 2001 (the date of the provisional patent application from which the Hafen reference/application claims priority). Based on the attached Declaration and Exhibits, the subject matter of the pending claims was reduced to practice and has a completion of invention date at least as early as June 14, 2000 (which is prior to the July 30, 2001 effective date of the Hafen reference).

Thus, Applicant swears behind the Hafen reference, so that Hafen is overcome as a reference.

2. Weinstock Reference: Inventors Submit Declaration of Prior Invention Under 37 C.F.R. 1.131

The attached Declaration of prior invention of inventors Bruce Royer, Renee Royer, and John Taylor along with the Exhibits A through F establishes invention of the subject matter of claims 1 and 18 prior to the effective date of the Weinstock reference. See 37 C.F.R. 1.131.

The Weinstock reference is effective as a reference under 35 U.S.C. 102(e) on August 18, 2000 (the date of the earliest filed patent application from which the Weinstock reference/application is a continuation-in-part and claims priority). Based on the attached Declaration and Exhibits, the subject matter of the pending claims was reduced to practice and has a completion of invention date at least as early as June 14, 2000 (which is prior to the August 18, 2000 effective date of the Weinstock reference).

Thus, Applicant swears behind the Weinstock reference, so that Weinstock is overcome as a reference.

3. Regardless, Claimed Invention Independently Patentable Over Brandt in view of Hafen and further in view of Weinstock

Brandt in view of Hafen and further in view of Weinstock fails to teach, advise, or suggest at least the following claim elements as recited in claim 1 (and claim 7, which depends from claim 1):

- the users of the plurality of dealerships accessing the computer-server of the plurality of dealerships in order to access rental equipment inventory information for the plurality of rental locations in the plurality of dealerships in order to assist customers of the plurality of rental locations;

- via a computer-terminal, displaying a reservation summary having reservation information pertaining to the type of rental equipment reserved and the date of reservation for each piece of rental equipment for a plurality of customer reservations of the plurality of rental locations in the plurality of dealerships; and

- via the computer-server, tracking and searching rental equipment inventory information including the number of pieces of rental equipment available for in-town rental and the number of pieces of rental equipment in-town but not available for rental for each rental location for managing rental equipment availability at the plurality of rental locations in the plurality of dealerships;

- wherein via the computer-terminal communicating with the computer-server, each user can search and display the number of pieces of rental equipment available for in-town rental and the number of pieces of

rental equipment in-town but not available for rental for each rental location of the plurality of rental locations in the plurality of dealerships; and

wherein via the computer-server the rental equipment inventory information for each rental location in the plurality of dealerships is accessible via the network by the plurality of dealerships.

Brandt in view of Hafen and further in view of Weinstock fails to teach, advise, or suggest at least the following claim elements as recited in claim 18 (and claim 24, which depends from claim 18):

the plurality of rental locations on a network of a plurality of dealerships, wherein users of the plurality of dealerships accessing a computer-server of the plurality of dealerships in order to access rental equipment inventory information for the plurality of rental locations in the plurality of dealerships in order to assist customers of the plurality of rental locations;

via a computer-terminal, displaying on a screen in communication with a computer a reservation summary having reservation information pertaining to the type of rental equipment reserved and the date of reservation for each piece of rental equipment for a plurality of customer reservations of the plurality of rental locations in the plurality of dealerships;

via the computer-server, tracking and searching rental equipment inventory information including the number of pieces of rental equipment available for in-town rental and the number of pieces of rental equipment in-town but not available for rental for each rental location for managing rental equipment availability at the plurality of rental locations in the plurality of dealerships; and

wherein via the computer-terminal communicating with the computer-server, each user can search and display the number of pieces of rental equipment available for in-town rental and exclude the number of pieces of rental equipment in-town but not available for rental for each rental location of the plurality of rental locations in the plurality of dealerships; and

via the computer-server, making the reservation information and the rental equipment inventory information for each rental location in the plurality of dealerships accessible via the network by the plurality of dealerships.

Brandt discloses a computer system for providing a common user interface for software applications accessed via the world-wide-web (WWW). See Brandt, column 9, lines 7-11.

1. Brandt fails to teach, advise, or suggest computer network, plurality of dealerships, and “user” of dealerships versus “customer” of rental locations

First, Brandt fails to teach, advise, or suggest “the users of the plurality of dealerships accessing the computer-server of the plurality of dealerships in order to access rental equipment inventory information for the plurality of rental locations in the plurality of dealerships in order

to assist customers of the plurality of rental locations” as recited in claim 1 or “the plurality of rental locations on a network of a plurality of dealerships, wherein users of the plurality of dealerships accessing a computer-server of the plurality of dealerships in order to access rental equipment inventory information for the plurality of rental locations in the plurality of dealerships in order to assist customers of the plurality of rental locations” as recited in claim 18.

a) Computer network versus network of people

In Brandt, any mention of a “network” is for a large number of people within a company to be able to communicate simultaneously over the network with a software application running on a single computer system. See Brandt, column 1, line 64 to column 2, line 2.

b) No plurality

Also, in the car rental example of Brandt, the user accesses one rental car agency to make a reservation, not a plurality of rental car agencies. See Brandt, column 23, lines 44-46.

c) “User” of dealership versus “customer” of rental locations

Even further, Brandt fails to disclose a “user” and a “customer” as recited in the claims. The “user” in Brandt is the customer of a car rental agency; whereas, in claims 1 and 18, the “user” is of the network of the plurality of dealerships and not a user of the rental locations. The “customer of the plurality of rental locations” is distinguishable from the “users of the plurality of dealerships”, which Brandt fails to account for and fails to distinguish. Rather, Brandt only discloses the alleged “customers of the plurality of rental locations” (allegedly the customers of the car rental agency). There is no distinction made in Brandt between “users of the plurality of dealerships” and “customers of the plurality of rental locations” as recited in the claims.

2. Brandt fails to teach, advise, or suggest plurality of rental locations in plurality of dealerships

Second, Brandt fails to teach, advise, or suggest accessing rental equipment inventory information “for the plurality of rental locations in the plurality of dealerships in order to assist customers of the plurality of rental locations” as recited in claim 1 and claim 18.

In Brandt, not only is there no plurality of rental locations, but the plurality of rental locations are not on a network of a plurality of dealerships.

3. Brandt fails to teach, advise, or suggest plurality of customer reservations of rental locations in dealerships

Third, Brandt fails to teach, advise, or suggest “displaying a reservation summary... for each piece of rental equipment for a plurality of customer reservations of the plurality of rental locations in the plurality of dealerships” as recited in claim 1 or “displaying...a reservation summary...for each piece of rental equipment for a plurality of customer reservations of the plurality of rental locations in the plurality of dealerships” as recited in claim 18.

In the car rental example of Brandt, the customer reservation is for one user and not for a plurality of customer reservations. Moreover, the one user is accessing one rental car agency and not a plurality of rental locations. Still further, the one rental car agency is not “a plurality of dealerships” as recited in claims 1 and 18.

4. Brandt fails to teach, advise, or suggest tracking and searching inventory for plurality of rental locations in plurality of dealerships

Fourth, Brandt fails to teach, advise, or suggest “via the computer-server, tracking and searching rental equipment inventory information including the number of pieces of rental equipment available for in-town rental and the number of pieces of rental equipment in-town but not available for rental for each rental location for managing rental equipment availability at the plurality of rental locations in the plurality of dealerships” as recited in claim 1 and “via the computer-server, tracking and searching rental equipment inventory information including the number of pieces of rental equipment available for in-town rental and the number of pieces of rental equipment in-town but not available for rental for each rental location for managing rental equipment availability at the plurality of rental locations in the plurality of dealerships” as recited in claim 18.

In Brandt, the one user is accessing one rental car agency and not a plurality of rental locations as recited in claims 1 and 18. Still further, the one rental car agency is not a plurality of dealerships as recited in claims 1 and 18. Thus, Brandt not only fails to disclose a plurality of rental locations but also a plurality of dealerships.

Hafen discloses a central processing center 116 in communication with a central database 312 which stores rental information for rental facilities 106. Each rental facility 106 is operated by a manager 402, who operates a web browser on a computer system 200 at rental facility 106. See Hafen, paragraphs [0044], [0063], and [0082].

Hafen fails to teach, advise, or suggest tracking and searching inventory for plurality of rental locations in plurality of dealerships

Hafen fails to teach, advise, or suggest “via the computer-server, tracking and searching rental equipment inventory information including the number of pieces of rental equipment available for in-town rental and the number of pieces of rental equipment in-town but not available for rental for each rental location for managing rental equipment availability at the plurality of rental locations in the plurality of dealerships” as recited in claim 1 and “via the computer-server, tracking and searching rental equipment inventory information including the number of pieces of rental equipment available for in-town rental and the number of pieces of rental equipment in-town but not available for rental for each rental location for managing rental equipment availability at the plurality of rental locations in the plurality of dealerships” as recited in claim 18.

Even if the rental facilities 402a-402n in Hafen are viewed as a plurality of rental locations, Hafen still fails to teach, advise, or suggest a plurality of dealerships as recited in claims 1 and 18.

Weinstock provides a system for providing rental car services for high volume users. Weinstock is limited in that it requires a “stateful” connection, such as on-line chat, on-line gaming, or on-line conferencing. See Weinstock, paragraph [0007]. Furthermore, Weinstock is in the context of a customer being in an accident and needing a rental car. Weinstock’s system allows the customer to view vehicles that are pre-approved for use as a rental car while the customer’s car is repaired (or the customer purchases another car). See Weinstock, paragraph [0049]. However, Weinstock fails to make-up for the shortcomings of Brandt and Hafen.

Thus, Brandt in view of Hafen and further in view of Weinstock fails to teach, advise, or suggest one or more missing claimed elements as recited in claim 1 (and claim 7, which depends

from claim 1) and claim 18 (and claim 24, which depends from claim 18), so that claims 1, 7, 18, and 24 are patentable over Brandt in view of Hafen and further in view of Weinstock.

Claims 8 and 25

Claims 8 and 25 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Brandt in view of Hafen in view of Weinstock and further in view of Craig (U.S. Patent No. 6,266,809).

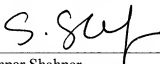
For the same reasons described above in connection with claim 1 (from which claim 8 variously depends) and claim 18 (from which claim 25 variously depends), Applicant respectfully traverses this rejection and requests reconsideration and withdrawal of the rejection.

Conclusion

Thus, the Applicant respectfully submits that the subject application is in condition for allowance. Reconsideration of the application is thus requested. Applicant invites the Office to telephone the undersigned attorney if he or she has any questions whatsoever regarding this Response or the subject application in general.

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Respectfully submitted,



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